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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,681	05/14/2001	Kurayasu Hamasaki	2001-0596A	6810

513 7590 12/09/2003

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EXAMINER

KENNY, STEPHEN

ART UNIT	PAPER NUMBER
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3726

DATE MAILED: 12/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**BEST AVAILABLE COPY**

**Office Action Summary**

Application No.

09/853,681

Applicant(s)

HAMASAKI ET AL.

Examiner

Stephen J Kenny

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 5/14/01.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 11-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4                      6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Election/Restrictions*

Claims 11-18 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Species B, there being no allowable generic or linking claim.

Election was made **without** traverse in Paper No. 8.

### *Claim Objections*

Claim 7 is objected to because of the following informalities: line 12 cites that the production apparatus "mount" second components, this should be changed to "mounts".

Appropriate correction is required.

Claim 9 is objected to because of the following informalities: line 10 the phrase "and then" (or the equivalent such as "thereafter") should be inserted after the word path. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Gieskes (US Patent No 6643917).

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Regarding claim 1, Gieskes discloses a board transferring apparatus (10) comprising: an unprocessed board transfer path (column 6, line 46 wherein the receiving of boards is considered a transfer path) & an unprocessed board carry-in device (28, 30) which delivers the unprocessed boards to the component mounted board production apparatus (CMBPA) (20, 22); a process finished board send out unit including a transfer path (portion of conveyors at location 36) along which a process-finished board (12a, 12c) is carried out from the CMBPA (20, 22); a shift device (18) which moves between the unprocessed board transfer path (40) and the process-finished board transfer path (42, 44) and for shifting the board between the unprocessed board path and the process-finished board path (column 5, line 1 – column 7, line 42 & Figures 1A-1F).

Regarding claims 2 & 6, Gieskes discloses the shift device (18) equipped with a plurality of CMBPA (14 & 16) arranged in series in a transfer direction (Figure 1A).

Regarding claims 3 & 5, Gieskes discloses a controller for controlling the board transfer apparatus functions (column 7, lines 55+).

Regarding claim 4, Gieskes discloses a plurality of CMBPA (14 & 16) for executing mutually different processes are arranged along a transfer direction, the shift device (18) is disposed between CMBPA (Figure 1A) while the controller controls the shift device to shift the process-finished board (12a) carried out from the first CMBPA (14) to the process-finished board transfer path to the unprocessed transfer path (52) (Figures 1A-1F).

Regarding claim 7, Gieskes discloses the CMBPA (14 & 16) are component supply/mounting machines, and the controller makes the first CMBPA (14) mount first components, the shift device (18) carry a process-finished board with first components mounted

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(12a) into the second CMBPA (16), and the second CMBPA (16) mount second components (column 7, lines 65+).

Regarding claim 8 Gieskes discloses a board transfer method comprising: carrying an unprocessed board from a transfer path (column 6, line 46 & 28, 30) into the CMBPA (14), sending out a process-finished board (12a, 12c) to a board transfer path (36); and moving the process-finished board (12a) to the unprocessed board transfer path (52) (column 5, line 1 – column 7, line 42 & Figures 1A-1F).

Regarding claim 9, Gieskes discloses a plurality of CMBPA (14 & 16) arranged in series along a transfer direction, between first & second CMBPA for executing mutually different processes, moving the process-finished board (12a) carried out from the first CMBPA (14) to the process-finished board transfer path (36) to the unprocessed board transfer path (52), and carrying (42, 44, 52) the process-finished board into a second CMBPA (16) (Figures 1A-1F).

Regarding claim 10, Gieskes discloses the carrying (28) of the unprocessed board to the CMBPA (14), the shifting of the process-finished board (12a) from the transfer path to the unprocessed board transfer path (52), and the carrying of the process-finished board (12a, 12c) into the second CMBPA are controlled on a basis of arrangement of the CMBPA along the transfer direction and a processing program to be executed to the boards (column 7, lines 55+).

### ***Conclusion***

The prior art made of record on the attached PTO-892, and not relied upon is considered pertinent to applicant's disclosure.

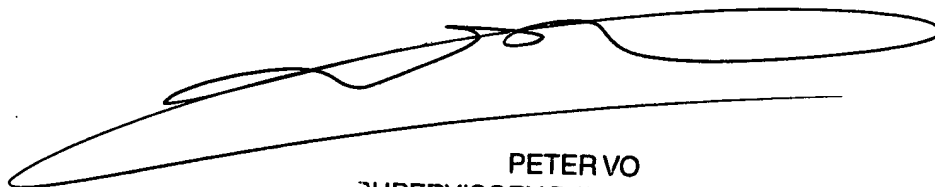
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J Kenny whose telephone number is 703-306-0359. The examiner can normally be reached on mon - fri 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9302.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

sk SK  
12/3/03



PETER VO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700